LOCKED UP IN A CELL WHILE HER BABE WAS BORN.

Annie Dutcher Was Without Medical Attendance, and Within Twentyfour Hours She and the Child Were Dead.

WHY WAS NO DOCTOR CALLED?

It Was the Duty of Night Matron O'Brien, of the Blackwell's Island Penitentiary, to Send for One, and Her Failure to Do so May Be Investigated.

Annie Dutcher, a very pretty Russian girl, nineteen years old, with golden hair, clear complexion and blue eyes, was convicted of grand larceny in the Court of General Sessions on September 12 last, and the next day was sentenced to two years' imprisonment in the New York County Penitentlary on Blackwell's Island. When she entered the prison she said she was a single woman.

On Tuesday last Dr. S. R. Dunlop, of the Charity Hospital, signed a certificate that Annie Dutcher had died. He gave the direct cause as puerperal

That is all of her sad history that the records of the prison show.

The young woman could speak no language but Kussian, and was put down in prison parlance as "a complainer." She was an inmate of the hospital most of the time and never could explain to the physicians what ailed her.

When he finally secured an interpreter, Dr. C. B. Fitzpatrick told me last night, Annie made disconnected statements that showed that her mind was

REMOVED FROM THE HOSPITAL. Five days before her death she was an inmate of the hospital. But she cried and complained so much that she disturbed the other patients, and by order of House Surgeon E. L. Smith she was taken from the hospital and confined in her cell. Then Dr. Smith went away for a few days' vacation and left his senior assistant, Dr. S. B. Dunlop, in charge with Dr. Fitzpatrick, the junior assist-

On Monday night of last week Annie groaned a great deal, and was manifestly suffering intensely. She appealed to the night matron in her unknown tongue, and that person gave her medicine the doctors leave in the prison to be used in cases of stomach cramps. Then the matron sent another female prisoner to Annie's cell and went her way.

At half-past five o'clock on Tuesday morning a hnrry call was sent over to the Charity Hospital. only a few rods away, for Dr. Fitzpatrick. He arsome time before the woman had given birth to a child, which had been taken up to the hospital. He found the poor girl alone on her iron cot in the cell, with Mollie Wilson, another convict, attending her. Mollie had been left in charge by the night nurse, who had gone to the hospital with the child. rived in fifteen minutes and was informed that

child.

Dr. Fitzpatrick gave the necessary attention to Annio. He found her pulse strong, her temperature and respiration normal, and she did not complain of any pain. He had her transferred to the hospital, and after finding a prisoner to act as interpreter he concluded the girl was irrational. He could get no connected statement from her as to why she had been left atone, nor could he succeed in getting her to say anything about herself.

The child's respirations, Dr. Fitzpatrick told me hast night, were very feeble, and dry heat was applied to stimulate breathing.

THE incumator could Not save fr.

It was placed in an incubator, treated with hot and sold baths, ice was applied to its diaphragm and other methods of respective west fried. None of them was of avail. The child died at half-past four in the afternoon of the day it was born.

Its mother lingered for a little ever twenty-four hours and then she, too, died. That was fast Tuesday morning at half-past five o'clock.

Coffined in the same box, mother and child were removed to the dead house adjoining the Charity Hospital and then to the Morgue. As is customary in such cases, word was sent to the address which Annie gave when alse was sent to the prison.

But the people at the address given said they had no interest in the girl, and denied even that they knew her.

"Thesa, or course," Warden Pillsbury, told me Dr. Fitzpatrick gave the necessary attention to

"Them, of course," Warden Pillsbury, told me last night, "the bodies were buried in the Potter's Field."

'O' dissected," I suggested.

'Yes," was his reply.
I asked Dr. Fitzpatrick whether, in his opinion, if he had been summoused before the child was born, he could have saved the life of the mother. He replied in the negative, giving as his reason that Annie showed an aicoholic histery and symptoms of disease advanced to its worst stage.

Dr. Coughlin, who was in charge of the woman's prison hospital service until five weeks ago, does not agree with Dr. Fitzpatrick and Dr. Smite.

Eight weeks ago Dr. Coughlin, with Dr. A. Rosenthal, his assistant, made a careful examination of Annie Dutcher and saw no symptoms of the disease from which the young doctors, who are now on the female prison branch of the Charity Hospital service, say she was suffering.

Dr. Coughlin further ventured the opinion that no inquest had been held in Annie Dutcher's case, and that if one were held it was probable that somebody would be consured for her death.

He understood that Annie had been countined in her cell for ten or twelve days before she died. He believed the result might not have been so serious had the night matron or whoever was in charge notified Dr. Fitzpatrick or Dr. Dunlop when it became known that the girl's condition was critical.

Mrs. Margaret Redden, the night nurse in charge of the hospital of the woman's prison told me that she was not summoused to Annie's cell until the event was practically over. When she reached the woman's from cot Mattle Wison was present, and several other female prisoners were talking over the affair in the corridor.

"She couldn't have complained much." Mrs. Redden voluntaered, "because Mrs. O'Brien was string in the corridor not further away from her thus from hore te the clock"—about iffteen feet.

"I do not know how long Annie had assistance or attention before I arrived.

Mars. Kate O'Brien vs the hight mastron of the prison. She has every other Tuesday night to her-

attention before I strived."

MATRIN O'SHIEN.

Mrs. Kate O'Brien is the night matron of the prison. Sine has every other Tuesday night to horself and was absent from the prison last night. The officials were unable to say where she had

Warden Louis Pillsbury told me that when Anaio Dutcher dist he had Deputy Warden John Carron mais an investigation, having heard that Matron O'Brien had neglected to send in time for a doctor. Mrs. O'Brien, in her report to Curren, had claimed that she had gone to Annie's cell when she heard her greaning such had administered medicine, supposing that she was soffering from cramps. Then when she round the girl was getting worse she had summoned the night officer, who called the doctor.

the doctor.

I asked the Warden if Mrs. O'Brien reported that Dr. Fitzpatrick arrived before the child was bern. "I so understood it," he replied.

In view of the facts it is probable that Warden Pillsbury will begin a thorough investigation today into Matron O'Brien's conduct. He assured me that she, along with others in charge, had strict instructions to send to the Charly Hospital for a doctor whenever a prisoner asked for medical attendance.

BEN BUTLER'S VICTORY.

UNSUCCESSFUL ATTEMPT TO MAKE HIM PAY NEARLY \$70,000 FOR THE MORA GRANT. Ehud N. Darling, of this city, has lost his suit

sgainst General Benjamin F. Butler to compel him to pay nearly \$70,000 for a thousand acres of land n New Mexico, known as the "Mora grant." Judge Wallace in the United States Circuit Court

yesterday sustained the demarrer interposed by

posterday sustained the domurror interposed by Mr. Butter. The case, aside from the amount involved, is interesting as deciding under what oncumstances a man can acquire the legal title yet not the equitable fille to land.

The deed was delivered by Mr. Darling to General Butter at Washington, D. C., on December 19, 1883. It conveyed an undivided interest for 25,000 consideration. General Butier was to sell certain other interests in the grant within bix months or to roconvey the interest. He was not to sell the interest for 1885, on General Butter and T. B. Catron's interest in the lands.

The complainant in March, 1885, agreed to take \$75,000 for his interest. In 1885, on General Butter's representations that Elkins and Catron had agreed to take \$70,000 for their interest, he agreed to the same sum. He faceived only \$11,000, inhough General Butter monoditionally accepted the deed executed on January 15, 1885.

Julie Wallace says that by the delivery of the deed and its acceptance General Butter acquired the logal title to the land, even though it was apparent that he and Mr. Darling did not at the time no intend it. Only General Butter oppoint that he and me portable than the Brooklyn Bridge. He could then pay his dobts.

See York, Feb. 10, 1891.

he acquired the legal title he did not acquire the equitable title, which still remains with Mr. Darling. The agreement which was sought to be enforced was void by the statute of frauds. It is, however, still executory on the part of both parties. Mr. Darling can still resort to a court of equity and upon tendering back what he received compel General Butler to reconvey.

PERRIN SUMNER WANTED.

THE IDENTIFIER OF CORPSES FAILS TO REEP AN While a Church Jury Were Hearing ENGAGEMENT WITH THE CORONER.

Perrin H. Sumner is in peril of punishment for contempt of court. His contempt is of an aggra-vated type. He called upon Coroner Levy on Monday at the time set for a further investigation of the suicide of "Fred Evans, of England," at the Astor House a week ago. The Coroner instructed him to come back yesterday, when the hearing would be resumed. Perrin said he would. When Artic's examination was ended yesterday Coroner | TRAMPING BEFORE THE DOOR. Levy called "Perrin H. Sumner" in his loudest tones. Perrin came not. Lawyer Ambrose H. Purdy announced that he had advised Perrin not to come. Coroner Levy issued an attachment for

his person.

ARTIE, THE FREE LANCE. Artie Summer came toward the witness chair apparently full of joy. Like the little oysters in Wonderland his face was washed, his coat brushed, his shoes were clean and neat.

He swore to soil the trath and hopped into the witness chair, blushing like Aurora. Lawyer Furdy objected to his being questioned, but the questioning went on. He said he lived at No. 330 West Twenty-first street.

"What is your occupation?" asked Lawyer Hummel.

"I am a journalitht, thir," said Artie, with the cutost little lisp.
"To what paper are you attached?" asked Abe Hummel.

"To what paper are you attached?" asked Abe Hummel.

"None; I am a free lanthe in journalithm," responded Artie.

"Please tell me all you knew about the death of the man called Evans in the Astor House."

"By advice of counsed, I decline to answer."

To other queries Artie lisped.—"I decline to anthwer," in a timidly defiant way. Mr. Hummel moved that Artie be discharged, and Geroner Levy said:—"Do you knew you may be committed for contempt of this court?" The youthful Summer thawed out at once.

"I went down to Undortaker Duffy's shop," he said, "because Mr. Powell called for me and asked me to go with him. I didn't identify the body. He did. He said he thought it was the body of George H. Edgar, of England. I believed he was the same party that Mr. Powell identified."

"What was your sequantanceship with George H. Edgar?" asked Mr. Hummel.

"Very slight. He was called George H. Edgar when my father introduced him to me. I saw him only a few times."

"Pid you see him after the Youkers mystery?"

"Yes; I saw him on Broadway a few mouths ago and bowed to him. He bowed to me. That was all."

On motion of Mr. Hummel Artie was discharged from his self imposed detention. Perrin has not

On motion of Mr. Hummel Artie was discharged from his self imposed detention. Perrin has not been "attached" yet by the Coroner's officers.

Free Extracts from "LIGHT OF THE WORLD." by SIR EDWIN ARNOLD,

published in the HERALD NEXT SUNDAY, by arrangement with FUNE & WAGNALLS.

BAKER ROESER'S LUCK.

GUILTY OF ASSAULT IN THE THIRD DEGREE FOR KILLING YOUNG ROAN.

The verdict which the jury rendered yesterday afternoon, of "guilty of assault in the third de-gree," in the case of Jacob Roeser, the Ninth avenue baker, who killed young William Ronan by strik-

gree," in the case of Jacob Roeser, the Ninth avenue baker, who killed young William Ronan by striking him on the head with a stick on June 28 last, was a complete surprise to the prisoner, his counsel, William F. Howe: Judge Brady, and the spectators in the Court of Oyor and Terminer.

It will be remembered that Roeser was under indictment for manisaghter in the first degree. In trying to stop a quarrel between some boys and a sandwich man in front of his baker shop at No. 521 Ninth avenue, Roeser was assaulted, and running into his store picked up a stick, which he took outside, and struck young Ronan, who happened to be passing, on the head. His skull was fractured and he died in a few minutes.

It was declared that Ronan had nothing to do with the disturbance. The prisoner, however, swore that Bonan had once threatened to get square with him, and on the day mentioned was about to strike at him with a knife in his hands.

The jury were out over an hour, and returned with a verdict of assault in the third degree.

Roeser was sentenced at once to one year's imprisonment and to pay a fine of \$250. Judge Brady in sentencing him declared that while he was not in the habit of criticising the actions of juries, yet he was completely surprised by the verdict in this case.

The Judge declared that violence in this city was not to be tolerated, and when a man took the law in his own hands and an innocent man was billed he ought to be panished for it.

The mother of the murdered young man was present when the verdict was announced. Shoried aloud to the Judge that agreat injustice had been done to her boy, and had to be taken from the court room crying bitterly.

JUROR O'CONNELL IN A FIL

JUROR O'CONNELL IN A FILL

RESULT OF THE CLOSE AND UNWHOLESOME AIR

OF THE JURY ROOM. William O'Connell, a liquor dealer, at Twentieth street and Eighth avenue, while locked up with eleven other jurors in a dingy, close and ill ventilated jury room in the County Court House, last evening, fell in an epileptic fit. In failing he struck his face on the edge of a heavy table cutting it

the jury were deliberaling upon their verdict in the case of Henry Muller against the Steinway and Hunter's Point Eallway Company, which was tried before Judge Barrett, of the Supreme Court. They were locked up in charge of Court Officers McGuire

were locked up in charge of court Omeers Anchara and Bambach.

The room, as is the case with all the jury rooms, is unfit for any twelve men to be locked up in without danger to their health. It is small and dark and without any ventilation, with the window and door both closed.

Shortly after six o'clock a groan was heard in the room and a heavy fall. When the Court officers opened the door they found Juror O'Connell lying on the floor, bleeding profusely from a wound in the face. Dr. G. D. Farwell of No. 22 City hall place, was called and attended the juror, dressed the wound and then allowing him to go home in the care of Court Officer Bambach.

The air in the room was foul and thick with to-bacco snocke, and the doctor said that the fit was probably brought on by the close condition of the

The other jurors were allowed to go to their homes and were ordered to report in court to-day. They had not reached a vordict when O'Conneil was stricken.

GOODELL FINED AND REDUCED.

At a meeting of the Police Board yesterday the case against Roundsman Goodell, of the Grand Central Depot, who was recently tried for being found asleep by Inspector Williams while on duty

central Dapot, who was recently tried for being found asleep by Inspector Williams while on duty in the station house, was considered. There was some disposition to dismiss Goodeli from the force, but his previous excellent record was taken into consideration by the Commissioners, and he escaped with a fine of thirty days' pay and a reduction to the ranks. This sentence is doubly severe on Goodell, as he was very shortly to have been retired on half pay.

The bill which is to be presented in the Legislature making all policemen who served on the force during the draft riots of the same standing as war veterans was discussed by the Commissioners. They disapproved it unqualifiedly.

Inspector Syrnes appeared before the Board and recommended that the night post of the steamboat squad be abolished and the work now done by the steamboat men be performed by the precincts that cover the first fronts. To increase the efficiency of the force along the river front the Inspector recommended that the day force of the steamboat squad be increased by fitteen men. The Inspector recommended that the day force of the steamboat squad be increased by fitteen men. The Inspector also recommended that two precinct men be stationed at each of the city ferries. The Board adopted all the suggestions and voted to put them into effect on February 20.

The Board voted to approve the bill now pending before the Legislature glying power to the Bureau of Elections to destroy all old ballets.

jocular reader in reference to a plush manufacturer

starting a mill in the United States.

Eirst—He or his machinery has not arrived yet.

Second—If he does come he orings with him his own mill hands, as the class of workmen required could not be found in the United States. I am at a loss to see where the work for 600 United States.

working people comes in.
Your constant reader ought to gamble something smaller and more portable than the Brooklyn Bridge). He could then pay his debts.

ELLA TICE STOOD SENTRY AT HER FATHER'S TRIAL:

Charges of Immorality Against the Old Deacon She Pluckily Kept Keyhole Listeners Away.

Deposed Dominie Chew Lay Flat on the Floor with His Ear Fixed to the Crack, but Got up to Avoid Being Walked On.

[BY TELEGRAPH TO THE HERALD.] REYFORT, N. J., Feb. 10, 1891 .- Deacon John W. Tice, one of the oldest and most respected members of the Jacksonville (N. J.) Methodist Church, was tried and acquitted upon charges of immoral conduct, before a church jury at the local Methodistjohurch to-day,

It was thought that the church, being just outside the heart of the town, was well situated for a church trial at which it desired to have few if any

But the people came-came in crowds, typical old farmers and their wives and stately old women eager to hear in public the unvarnished stories given in evidence which they had rolled over their tongues with pharasaical unction at the gossipy "sociables," and "when alis" Brown met Mis' Jones callin' at Mis' Smith's."

Pastor Samuel E. Post opened the doors and let the crowd into the lecture room of the church. Then he took the jury and the other pastors into a classroom, where upon consultation it was decided to hold the hearing behind closed doors and admit but one witness at a time.

SCANDAL MONGERS DISAPPOINTED. The audience of curiosity seekers and gossip mongers were grievously disappointed. Tongues buzzed angrily, and finally the excluded people sent in a request that the jury rescind its decision, as they had come, many of them, miles to attend the trial. The jury ignored the request.

The trial opened with Deacon Tice present. He is seventy years old and has earned a reputation

The trial opened with Deacon Tics present. He is seventy years old and has earned a reputation as a lay preacher. Hescame accompanied by his daughters, Miss Storkess and Miss Ella, and by Miss Eliza Ann Souden. The charges he had to meet were preferred by Mrs. John Wood and Miss Pierce, both members of the Jacksonvillo Methodist congregation, who had heard many stories circulated concerning the deacon and were in a high state of virtuous indignation.

The chief charge connecting his name with Miss Sonden's was based on what Jonathan Culver, now of South Amboy and formerly of Jacksonville, claims to have seen. Mr. Culver, who is fully as old as Deacon Tice, was the first witness called, and as he pushed through the crowd, with grim determination in his face and snapping eyes, the crowd saw the door close behind him with a look of bailled rage.

They rushed, one and all, for the doors and windows of the class room. A row of cars were held tightly to the cracks of the doors and eyes peered in at the windows. There was no little crowding for good positions.

The charges were read to Mr. Culver and he told his story, which was that he saw Deacon Tice and Miss Eliza Ann Souden together in a wood near Jacksonville one June afternoon in 1879, and that they were much embarraswed when he came up. DEACON AICE'S PLUCKY DAUGHTER.

The ripple of excitement among the cavesdroppers without and the burst of laughter aroused the deacon's daughter Elia to what was going on, and she sprang into the midst of the crowd and pushed the listeners angrily this way and that they were much embarraswed when he came up. DEACON AICE'S PLUCKY DAUGHTER.

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with one or two minor witnesses the prosecution rested its case.

CHEW BEATEN OFF.

Miss Eliza Ann Souden was then called for the defence. She is about thirty years and a short, plump brunette. No sooner had she entered the room, with tears streaming from her eyes, than the would be list-ners made another rush for the vantage points that they might listen again, as Elia Tice had left her post for a moment.

Ex-Dominie Chew, not to be outwitted, threw himself at full length on the floor and fixed his ear to the crack under the door. The plucky young woman jumped up again and began her sentry march. In her first turn she crowded the men at the door aside, but could not get Chew away.

On her return she was shout to walk on him when he expostulated, and after a few angry and bitter words the plucky girl came off victorious again.

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When she was called as a witness she installed her elder sister as sentry in her place.

The jury kept the testimony of the defence to themselves, except that they declared their belief that Mr. Culver was intoxicated that June aftermoon in 1879, and acquitted Dozoon Tice.

The Deacon's opponents or, in other words, Chew's adherents, are dissatisfied with and angry over the verdict, Deacon Tice threatens to bring suit against Chew, whom he considers responsible for the circulation of the stories against his character.

HIS MARKIAGE A MISTAKE.

HIS MARRIAGE A MISTAKE,

BUT FALSE REPRESENTATIONS OF A PERSONAL CHARACTER DO NOT MAKE IT VOID.

The marriage of Henry Schleifer has proved to be the greatest mistake of his life. He is very anxious to have the marital yoko removed and has brought a suit in the Supreme Court to have the marriage declared void, but the first point has been decided against him.

His suit is based upon the claim that he was induced to enter into the marriage under false representations, believing that Agues, his present wife, was a virtuous woman. It was not long before he accortained her true character, and he declares that he has discovered that she was the keeper of a disreputable house.

Judge ingrahum has sustained a demurror interposed to the complaint, and says that a marriage may be declared void when the consent of one of the parties is obtained by force, duress and fraud, and continues in this language:

"If false representations of personal characteristics would justify a judgment annulling a marriage it would be impossible to say to just what qualities the rule would apply. If to chastity, why not to temper, religious belief, clucation, social standing or concealed physical defects?

"If it were admitted that false representations as to these personal qualities or conditions would justify annulment of a marriage, in almost every instance in which the parties were disappointed in the result of marriage a case could be made in which sanulment of a marriage would be asked for." duced to enter into the marriage under false repre-

Therefore the Judge concludes that Mr. Schleifer is not entitled to any relief.

HE WAS FAITHFULLY QUOTED.

Interest in the proposed West Side Driveway seems to have taken a drop ever since Joseph J O'Donohue some time ago presented his individual report regarding the project. At yesterday's meeting of the commission only six members out of fifteen responded, and these were John M. Bowers, Nathan Straus, Cyrus Clark, Joseph J. O'Donohue, Lawson N. Fuller and W. E. D. Stokes.

Several members of the commission took occasion to prod Lawson N. Fuller upon his views as

published in the Herald and his statements before the commission, which were entirely at variance. When called upon for a direct answey Mr. Fuller declared, excitedly:—"Well, the Herald to-day has quoted me justy—strictly so."

"I am glad that you acknowledge that some one has treated you justly," replied Mr. Clark, at which all the other Commissioners smiled.

Mr. O'Donohue, who seemed to be the ruling spirit of the commission, said before going into order and adjourn. This programme was carried out after sir. O'Donohue was made chairman. In deciding the adjournment the chairman said that several members had expressed a desire to be present, but were suddenly called away. He would therefore suggest that no action be taken until February 19. This was agreed to.

In general conversation after the meeting, it was

said that several members of the commission, who at first favored the proposed driveway, had suddenly become lukewarm. Whether this collarge of base was due to the report of Mr. O'Donohue or to the interests of the New York Central and the Standard Oil Company, who oppose the scheme, it was not stated.

POOR LITTLE PEARL BEEKMAN.

TESTIMONY SHOWING HOW SHOCKINGLY SHE WAS MALTREATED BY HER BLACK PATHER. The inquest in the case of little Pearl Beekman,

the seven-year-old colored child who, it is alleged was beaten to death by her father and a white woman with whom he lived in Union township, N. J., was begun at Durning's Morgue, Elizabeth N. J., last night.

Dr. Younglove, Dr. Miller, Oliver Banks and J. Lewis testified to the facts of the story as published in yesterday's HERALD.

Jennie Wiley, Beekman's white paramour, admitted that she was not married to Beekman, but

mitted that she was not married to Beekman, but denied beating the child. She said it was sickly and subject to fits, and that Beekman sometimes punished it with a light strap.

Ars. Mary Little and ner daughter, sister and niece respectively of Beekman, swore that when he took the child from their house in Newark in July it was fat and heatthy.

The most important witness was Mrs. Mary Lewis, who lived next door to the couple. She swore to every detail in the child's life since July, and told graphically how the little one was frequently inhumanly abused by its father and Jennie Wiley. Mrs. Lewis said she frequently ran out of hearing of he child's signized cries.

On one occasion Mrs. Lewis saw the Wiley woman beat Pearl up and down the yard with a coil of heavy clothesiline until the woman was completely tired out.

Witness also saw Beckman beat the child on the head in a brutal manner with the buckle end of a heavy leather strap.

The day before the child died she was put out of the house by Jennie Wiley and compelled to walk up and down the yard. She fell several times through sheer weakness.

I rode back to Elizabeth in a horse car with the prisoners and the Lewis family. Beekman yelled once at the latter in very profane language that when he got out of this scrape he would turn them inside out.

OPIUM SMOKERS IN COURT.

THREE WOMEN AND BEVEN MEN CAPTURED IN

A RAID ARE HELD FOR TRIAL. The men and women captured by Detectives Hayes, Kemp and Brett, of the West Thirtieth street station, in the raid on the opium joint at No. 138 West Thirty-third street were arraigned in the Jefferson Market Police Court yesterday

the Jefferson Market Police Court yesterday morning.

There were seven men and three women, who gave their names as follows:—Harry Suydam, a pale, sallow young man, proprietor of the place; Gussie Smith, nineleen years old, of No. 219 West Thirty-fifth street; Aunie Howard, of No. 112 West Twenty-inith street; Allie Harris, twenty-three years old, of No. 205 West Thirty-eighth attreet; George Wisson, of No. 230 West Thirty-fourth street; Samuel Parker, of No. 219 West Thirty-fourth street; Harry Hiller, of No. 29 Morton street; Thomas Jackson, of No. 399 Third avonue; Henry Ward, of No. 300 West Eighteenth street; John Fider, of No. 116 West Twenty-ninth street, and Henry Williams, of No. 1,596 Tenth avenue.

Annie Howard turned witness for the prosecution to escape imprisonment, and furulshed the evidence npon which the other prisoners were held in \$500 bail for trial. She said that she visited the place Monday night and bought fifty cents worth of opium rom Suydam, who claimed to be the proprietor.

The police captured half a pound of opium and five pipes with the regular appurtenances, which were also produced in court as evidence.

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TRUCKS IN DEALTIE'S WAY.

According to the statistics of the Street Cleaning Department there are seventeen thousand carts and other vehicles nightly upon the public streets, and that these obstructions of the public thoroughfares retard the work of the department in cleaning the streets.

This information the Commissioner forwarded yesterday to Mayor Grant's Advisory Board for yesterday to Mayor Grant's Advisory Board for their consideration, stating that the number mentioned are on streets below Fifty-ninth street. Some of the streets, the Commissioner declares, are so taken up with trucks that the sweeping machines could not operate, consequently such streets are to-day in a flithy condition.

The Commissioner also wrote so the Chief of the Bureau of Encumbrances asking if something could not be done to abate the nuisance.

Many of the owners of such trucks, the Commissioner writes, are non-residents, and certainly have no right to store their vehicles in the public thoroughfares.

Commissioner Boattle also calls attention to the fact that his department is authorized only to re-

Commissioner Boattle also calls attention to the fact that his department is authorized only to remove ashes and garbage, and therefore will not cart away refuse from cellars, factories, &c. Material from the latter places are put on the street and scattered about to the annoyance of adjoining residents.

ROBBED BY NEW MADE FRIENDS.

Peter McMahon, of Dobbs Ferry, arrived in this city on Monday night for a good time. That meant getting drunk, and while staggering along Bleecker

Palisades, on December 5 last, caused such a sensa-tion. The lawyer's will was prepared on November 27 last, just about a week before his sudden death. It was witnessed by John J. Ait and Thomas Mc-

Laughlin.

By the will Mr. Townsend appoints his brotherin-law, Reuben W. Howes, executor. He gives
\$10,000 to his sister. Caroline Eliza Wilson, provides that all his pictures, works of art, books and
ornaments shall be divided among his nicees, and
then directs that the residue of the estate shall be
distributed under the laws of this State.
Frances Bedlow Townsend, who lives at Alken,
S. C., claims that the will was not executed in
accordance with the laws of this State. She is the
widow of Leander W. Townsend, a brother of the
testator.

CAPTAIN LEO'S APPEAL

Judge Andrews, of the Suprema Court, in denying the application of Captain Leo for a writ of certiorari to review the action of Governor Hill in disbanding Company I, of the Twenty-second regiment, granted permission to the counsel to make their application to the General Term of the Court.

The question was presented to the appellate branch of the Court yesterday, Major Asa Bird Gardner and Captain William C. Reddy appearing for Captain Leo, and Attorney General Tabor and Judge Advocate General Jenks representing the Governor. Judges Van Brunt, Daniels and O'Brion were upon the bench.

Substantially the same arguments were made as those presented to Judge Andrews upon the original application. The Attorney General argued that the Governor's action as commander-in-chief of the State was discretionary and could not be reviewed.

The question was presented to the appellate

viewed.

He stated that in one hundred years there had been but two writs of this character that he knew of. One was issued to Governor Bobinson, who returned it with the declaration that it could not lie against him, and the other was to Governor Hoffman, with the same result.

The Court reserved its decision.

RHETT MUST FACE TWO CHARGES.

William B. Rhett, recently arrested on a charge of abducting Jersey City newsgirls, will now be compelled to stand trial on two separate charges, one of abduction and another of assault. He was arraigned in the Tombs Police Court yesterday and held under \$7,000 bonds for trial.

Kate Flynn and Mary Williams were the first to prefer charges of abduction, and yesterday Polly Morris, another newsgirl, charged him with assault

TO FINAL ADJOURNMENT.

Connecticut Republicans Now Have a Scheme to Wind up the Fight by a Piece of Sharp Practice To-Morrow.

NO APPROPRIATIONS.

If the Plan Is Carried Out the Responsibility for Failure to Pass Them Will Be Loaded Upon the Democratic Senate.

[BY TELFGRAPH TO THE HERALD.] HARTFORD, Conn., Feb. 10, 1891,-Final adjournment this week.

That's the all absorbing legislative question tonight. Various indications point to it.

The Appropriation bill, which it is customary to

leave to the closing days of the session popped up in the House this afternoon. Among the members of the republican majority of the House adjournment was freely discussed.

The republican evening organ here, whose editor is one of the republican leaders on the floor of the House, says to-night that in the event of the failure of arbitration, the adjournment will not be from week to week or month to month as the democratic Senate wishes, but it will be sine die and the people will know why the adjournment became necessary.

That arbitration will fail seems to be an assured

The Senate and House occupy positions diametrically opposite on the question of the State officers, although they received majorities at the polls only last November. The Senate declared them elected. The House would not, and insists on going behind the returns. The Conference Committee, which has been try-

ing to reconcile these differences, is not making much headway. Its long session of yesterday was repeated this afternoon. All sorts of propositions were suggested, but none which did not involve the abandonment of the chief positions of each DILEMMA FOR DEMOCRATS.

The republican programme, as understood to-

night, is to pass the regular appropriation bills this week and finally adjourn. This will leave on the

Senate the responsibility of refusing to pass the

bills. The Senate has no intention of adjourning,

houses as to final adjournment Governor Bulkeley has the constitutional power to declare it by proclamation.

Thus the House can indirectly force a Senate ad-

mation.

Thus the House can indirectly force a Senate adjournment and place that body in a dilemma as to the passage or non-passage in the last moments of appropriations which are essential to the regular conduct of State affairs.

This is the programme as talked to-night. The republican general cancus to-merrow will decide whether or not to put it through. If it is so decided Thursday may witness the final adjournment and an ending of the long fight with Governor Bulkeiey and his associates holding over until January, 1892.

Political questions engaged most of the attention in both houses to-day. The Senate, holding to the line of its policy not to entertain general legislation util the new State chicers are seated, refused even to concur with the House in passing a resolution chartering a hospital in Norwich, to which William A Slater and W. W. Backers are to devote nearly a quarier of a million. The Senate also refused to appoint a joint committee or canvass of votes for justices of the peace. They appointed their own committee, and to-morrow will declare the election.

their own committee, and to-morrow will declare the election.

WITHOUT JUSTICES OF THE PEACE.

Unless the House concurs Connecticut will be left within a short time without a solitary justice of the peace within her borders. The House will have no other than mere technical grounds for refusing to follow in the wake of the Senate. It may have to do so, and that would be a bitter pill. The House, too, had a gloss of politics to day. The republican majority recalled and concurred in passing the Senate resolutions for the conference committee exactly in the form the Senate insisted upon last week. The House had crased "late" from the words "the late election" in the resolution creating the committee, The Senate objected, and rather than lose the committee altogether the House took a back step.

Mr. Wadhams, a democrat from Goshen, over among the hills of Litchfield county, offered a resolution under which the General Assembly asked the advice of the Supreme Court of the State whether the ballots voted by the prohibitionists in November were legal where they read "For Governor," instead of "Governor" before the candidate's name.

These are the famous "For" ballots which have

date's name.
These are the famous "For" ballots which have

played so prominent a part in the controversy. The resolution was sent to the House Investigation The resolution was sent to the committee.

The republican majority killed a resolution from the democratic side providing for investigating a schedule in the investigating committee report relating to the Hartford vote, and which has been always to be wholly erroneous. He resolution shown to be wholly erroneous. The resolution was not intended seriously so much as a sly rap at a mistake of the republicans.

Governor Bulkeley, by the way, drew his salary for the month of January, an interesting incident of the squabble, as heretofore he always has drawn his salary quarterly.

WIPING OUT THE REPUBLICANS,

JERSEY DEMOCRATS GET DOWN TO SOLID BUSI-

NESS WITH PARTISAN LEGISLATION. BY TEL GRAPH TO THE HERALD, I TRENTON, Feb. 10, 1891,-Smarting under the lash wielded by the caucus of the democratic majority the Legislature to-day began the work of partisan legislation in right good earnest. The leaders were on hand to direct the movements which had been planned, and the machinery worked like a charm. The first thing done was to pass a bill creating a separate insurance department, and after a feeble

The first thing done was to pass a bill creating a separate insurance department, and after a feeble protest by the republicans it reached the Governor, who affixed his signature at once. This provides a fat office for some favored adherent of the party and relieves the democratic Secretary of State from a pile of work.

The thouse advanced a series of party bills to a third reading and they will be passed to-morrow. They provide as follows:

Legislating out of office eight republican district court jugges and empowering the Governor to fill the vacancies: abolishing the offices of Sinking Fund Commissioners and transferring their duties to the new State Ireasurer, who will appoint ex-Congressman Thomas M. Ferreit to that department; creating a new State Board of Education, to consist of eight members, one from each Congressional district, to be equally divided partially, and the trustees of the school fund, which would make the floard, which is now non-partisan, consist of ten democrats and four republicans; abolishing the present boards of management of the two State lunatic asylums and oblicing those institutions in the charge of a Board of six members to be appointed by the Governor, these institutions costing the State at least \$600,000 a year, the expenditure of which the democrats say they want to control for the benefit of their party.

Other such measures will soon follow. The democratic idea is to cent the deck of all republican and mugwump office-holders.

THREE PERSONS BITTEN BY A DOG. [BY TELEGRAPH TO THE HERALD.]

NEWBURG, N. Y., Feb. 10, 1891.—Residents of Rutconville, a small Ulster county village a few miles northwest of Newburg, were frightened on Sunday afternoon by seeing a mad dog run wildly through the streets, anapping and biting at persons and the streets, snapping and biting at persons and animals. Froth and blood dripped from its mouth. The infuriated dog first bit its owner, who had driven with it from the Trap Mountains, near by, and the animal's teeth were next sunk into the flesh of his daughter's foot.

A little daughter's foot.

A little daughter of Farmer Mack, who was walking along the readway, was next bitten in the hand. This wound as well as that of the other little girl was promptly causerized, but fears of hydrophobia are entertained in both cases.

A dog belonging to Mr. W. T. Louder was also bitten.

The mad dog continued its course toward Pine Bush, five miles distant.

A posse of men, armed with guns, started after the animal as soon as possible, but the trace of it WALDO HUTCHINS BURIED.

The funeral services over the body of the late

sustained by the death of a man of such sterling worth and business integrity.

Among those present at the church were:—Tax Commissi ner Coleman, Deputy Comptroller Storrs, President Arnold, of the Board of Aldermen: Judge James Fitzgerald, ex-Corporation Counsel Henry II. Beekman, Schuyler Wheeler, William Cauldwell and D. Lowber Smith.

The interment was at Woodlawn.

ASH WEDNESDAY AT HAND.

SPECIAL SERVICES IN ROMAN CATROLIC AND PROTESTANT EPISCOPAL CHURCHES.

All good churchmen and churchwomen will to day put on sackcloth and ashes and begin to repent of the frivolities of the social season just ended, for this is Ash Wednesday and Lent is

Appropriate services will be hold in all the Roman Catholic and Protestant Episcopal churches in the city, by whom the Lenten season is rigorously observed. A special programme of music will be given at St. Patrick's Cathedral on Fifth avonus and at the other large Roman Cathello churches.

The Episcopalians will specially observe the day by early morning as well as the usual services at other hours. In these churches both the music and altar decorations will be appropriate to the season.

and altar decorations will be appropriate to the season.

The other prominent denominations of the Protestant Church, while they consider the Lenten season, do not observe the day by special services in the churches.

It has, however, become the fashion for the girl of society, no matter what her church relations may be, to begin to abjure some favorite fad on Ash Wednesday, so that to day look for a falling off of the crewds of fair ones in the candy stores and also at the matiness. Some girls go forth without their fur capes during the Lenten season as a penance. Some men also give up cigars and induigence over the wine cup, and still others do not bet on the races or play poker during the serious season of Lent.

All of which things are praiseworthy and to be encouraged. One thing is ortain and that is that from hemocrorth until after Easter we shall have manicates instead of dances, and much more method in divers hi ds of madness.

IN A FIT OF DESPONDENCY A YOUNG GERMAN

Augusta Schwarz, a good looking German girl twenty-one years old, swallowed nearly three ounces of carbolic acid yesterday afternoon at

yesterday morning she cailed at Ilis' drug store and purchased four ounces of carbolic acid. She wirked as usual in the morning, and her shopmates noticed nothing unusual in her manner. Between three and four o'clock P. M. she left her work and seended to an upper room.

Her long absence was noted and Mr. Franz went to her room, where he found her writhing in agony on the floor and the bottle of acid, which was three-quarters empty, lying beside her. The girl gave as the cause for the act the uufaithfulnors of her lover, Michael Uirch, who also worked for Franz. Ulrich denies the charge and is thoroughly prostrated. He was almost beside himself with grief when the ambulance arrived to convey the girl to the hospital. This is the third suicide in Miss Schwarz's immediate family. Her father shot himself on the grave of a favorite daughter in Woodland Cemetery a year and a balf ago and her brother shot and hauged himself in the same cometery about six months ago.

THINKS HER HUSBAND INSANE.

Frank Smith, twenty-nine years old, of No. 211 Mulberry street, was held in the Tombs Police Court yesterday for examination as to his sanity on a charge preturned by his wife.

she alloged that several days ago Smith entered their apartments and found her unconscious from the effects of a fit. She was lying at all length on four chairs. Smith, without making an investigation to find out whether his wife was dead or not, sent word to an undertaker that she had expired and asked him to come and take charge of the body. When the undertaker arrived Mrs. Smith had regained consciousness and was walking around the room.

Mrs. Smith also alleged that her husband repeatedly charged her with trying to dispose of their furniture for the purpose of deserting him.

Justice Hogan held him for examination. Court yesterday for examination as to his sanity

Henry E. Bendel, a commission merchant at No. 58 Broadway, claims \$50,000 damages from S. Elwood May for alleged malicious arrest and false im-

trial of which was begun yesterday before Judge Ingraham.

After his arrest, which was made upon a warrant granted by Justice of the Peace Lawrence, of Nyack, he was taken, he say, to Nyack, bandeuffs, put on his wrists, and he was kept in durance several hours until he was able to procure bail.

Subsequently he was acquitted of the charge upon which he was arrested, that of grand larceny, and hence the suit.

The defence is probable cause to believe him guilty of the charge.

William A. Stroud was put on trial yesterday pefore Judge Brady, in the Court of Oyer and Terminer, charged with the murder of Mitchell Jar-

Stroud is a native of Virginia, and came to this city last summer and went on an extended spree. On the day in question he got into the barroom of the Palace dteti and had soveral drinks.

Jardine, who was the colored porter, put him out of the pisce, acting under instructions. Stroud's Souther blood became sectical at the idea of being put out of a place by a "niggor" and there was a struggle between the two on the sid-walk. During the fight the prisoner nulled out a knife and stabbed the porter, who died a few days later. Stroud is under indictment for murder in the first degree, and is defended by Lawyer William F. Howe. city last summer and went on an extended spree.

Colonel Weber, superintendent of the Barge Office Immigration Bureau, received a letter yesterday from Ross Kneuzel, the pretty little German

girl, who came to America with her sister and brother-in-law last autumn and accompanied them to salt Lake city.

Rosa's father in Germany wrote a letter to Colonel Weber, in which he stated his belief that Rosa was detained against her will among the

BEAT HIS BROTHER'S TORMENTOR.

Lowell Talbot, Jr., of No. 150 East Twenty-first street, was summoned to Jefferson Market Police Court yesterday, charged with assaulting ten-year-

yellow ourls and leggings of the same hue. The boy would not play with the other youngsters in the neighborhood, and was consequently subjected to many annoyances.

On Saturday young Walton was amusing himself by throwing stones at the younger Taibot, when the elder appeared and gave him a beating.

Mr. Walton secured a warrant for Taibot's arrest on a charge of assaulting his son and caused his appearance in court yesterday.

The exalination was adjourned until to-day.

Frank Ward robbed Francis M. J. Hayden, a Catholic priest, on Monday last, and yesterday he pleaded guilty and was sent to Sing Sing for five

years by Judge Cowing, in the General Sessions.

This is probably the quickest railroading of a prisoner on record.

The priest met Ward on West Third street and inquired the way to a place he wished to visit on Pourteenth sizest. Ward took him down on Thompson street, and when near an alleyway knocked him down and robbed him of \$23.

Rev. Mr. Hayden will leave to-day for Paris.

Dr. H. Baar, superintendent of the Hebrew Orphan Asylum, has sent to the Herand \$43 14, collected by him from the orphans, some friends of the

Asylum and its employés, to be transmitted to the New York hospital fund, collections for which Park Commissioner Waldo Hutchins were held yesterday morning in the Madison Square Presbyterian Church, of which Mr. Hutchins had been a member during his lifetime.

Many prominent gentlemen were present among the crowds of friends who filed all the pews and alsies.

The services were conducted by the Rev. Drs.

Parkhurst and Field. The tormer delivered a glowing sulogy on Mr. Hutchins' career, in and out of public office, and commented upon the loss.

THOUGHT HER LOVER FAITHLESS.

GIR DRINKS CARBOLIC ACID.

Newark, N. J., with sufcidal intent, and the surgeons at the German Hospital, whither she was reoved, say that she cannot live. Miss Schwarz was employed at the tailor shop of C. Franz, No. 90 Springfield avenue. On her way to the shop yesterday morning she called at Illa' drug store

DAMAGES FOR WEARING HANDCUFFS.

prisonment on February 25, 1888, and has brought suit in the Supreme Court to recover this sum, the trial of which was begun yesterday before Judge Ingraban.

FOR KILLING A NEGRO.

dine on August 4 last.

Only six jurors were selected yesterday. The trial will be resumed to-day.

UNDER MOMMON CONTROL

Rosa was detained against her will among the Mormons.

Rosa writes that she is among the Mormons from choice, and that she is well, happy, and carning \$6 per week as a dressmaker. The letter came inclosed in another letter from a gentleman in Salt Lake City, whom Colonel Weber asked to look into the matter.

The gentleman writes that the girl, in spite of her letter, is absolutely under Mormon control, and she could write only in accordance with their wishes.

old Alfred Walton, of No. 25 Gramercy park. Taibot has a younger brother who wears long vellow curls and leggings of the same hue. The

SUMMARY JUSTICE FOR A THUG.

FOR THE NEEDY AND DESERVING.